

EXHIBIT 1

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

5 IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

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**CORRECTED MASTER SHORT
FORM COMPLAINT FOR DAMAGES
FOR INDIVIDUAL CLAIMS**

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8 Plaintiff(s) named below, for their Complaint against Defendants named below,
9 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc 364).
10 Plaintiff(s) further show the Court as follows:

11 1. Plaintiff/Deceased Party:

12 Kevin Sanchez

13 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
14 consortium claim:

15 Not applicable

16 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
17 conservator):

18 Not applicable

19 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
20 the time of implant:

21 New Mexico

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5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

New Mexico

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

New Mexico

7. District Court and Division in which venue would be proper absent direct filing:

United States District Court for New Mexico

8. Defendants (check Defendants against whom Complaint is made):

x C.R. Bard Inc.

x Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

x Diversity of Citizenship

Other: _____

Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

Recovery® Vena Cava Filter

□ G2® Vena Cava Filter

- G2® Express (G2®X) Vena Cava Filter
 - Eclipse® Vena Cava Filter
 - Meridian® Vena Cava Filter
 - Denali® Vena Cava Filter
 - Other: _____

11. Date of Implantation as to each product:

March 26, 2004

12. Counts in the Master Complaint brought by Plaintiff(s):

- x Count I: Strict Products Liability – Manufacturing Defect
 - x Count II: Strict Products Liability – Information Defect (Failure to Warn)
 - x Count III: Strict Products Liability – Design Defect
 - x Count IV: Negligence - Design
 - x Count V: Negligence - Manufacture
 - x Count VI: Negligence – Failure to Recall/Retrofit
 - x Count VII: Negligence – Failure to Warn
 - x Count VIII: Negligent Misrepresentation
 - x Count IX: Negligence *Per Se*
 - x Count X: Breach of Express Warranty
 - x Count XI: Breach of Implied Warranty
 - x Count XII: Fraudulent Misrepresentation

- Count XIII: Fraudulent Concealment
 - Count XIV: Violations of Applicable New Mexico Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
 - Count XV: Loss of Consortium
 - Count XVI: Wrongful Death
 - Count XVII: Survival
 - Punitive Damages
 - Other(s): _____ (please state the facts supporting this Count in the space immediately below)

1 RESPECTFULLY SUBMITTED this 14th day of September, 2018.

2 **BERTRAM & GRAF, L.L.C.**

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4 By: /s/ Benjamin A. Bertram

5 Benjamin A. Bertram, MO Bar #56945
6 2345 Grand Blvd. Suite 1925
7 Kansas City, MO 64108
8 Telephone: (816)523-2205
Facsimile: (816) 523-8258
benbertram@bertramgraf.com

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10 *Attorneys for Plaintiff*

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